

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Gianni MOCHI et al.	)	Confirmation No. 2576
	)	
Application No.: 10/540,374	)	Group Art Unit: 4154
	)	
Filed: November 30, 2007	)	Examiner: Hyun Park
	)	
For: SYSTEM FOR ESTIMATION AND	)	
CONTROL OF THE	)	
CONCENTRATIONS OF	)	
POLLUTANT GASES AT THE	)	
DISCHARGE OF A GAS	)	
TURBINE	)	

**RESPONSE TO NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

The undersigned's docketing department downloaded two Notices of Abandonment from PAIR, dated April 8, 2009 and May 6, 2009, respectively. These documents were never sent to the undersigned from the PTO by mail or through the EOffice Action program. Copies of the Notices, along with the USPTO's Transaction History dated May 4, 2009, are attached hereto. The undersigned believes that the Notices of Abandonment are in error and respectfully requests that these Notices be withdrawn.

In response to the Notice of Missing Requirements mailed December 27, 2005, the Declaration of four of the five inventors was filed, along with a Petition, on October 19, 2007 (the undersigned notes that these Declarations have not been separated out from the Petition in PAIR). The Declaration for the last remaining inventor was filed on November 30, 2007. In response to these documents, the Petition was granted, a Notice of Acceptance was mailed by the USPTO on October 29, 2008, and the application is currently docketed to the Examiner for examination. The undersigned further notes that neither the Transaction History, nor the current status of the application in PAIR indicates abandonment of this application.

Therefore, the undersigned respectfully submits that the Notices of Abandonment contained in the Image File Wrapper of this application are in error and ask that the abandonment be withdrawn. If necessary, please contact the undersigned at (540) 361-2601 in order to resolve this matter.

Respectfully submitted,  
POTOMAC PATENT GROUP PLLC

By: /Remus F. Fetea/  
Remus F. Fetea, Ph.D.  
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Date: June 11, 2009

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/540,374	11/30/2007	Gianni Mochi	0341-009

CONFIRMATION NO. 2576

86661

Potomac Patent Group PLLC

P.O. Box 270

Fredericksburg, VA 22404

## ABANDONMENT/TERMINATION LETTER



Date Mailed: 05/06/2009

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/27/2005.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via "Express Mail," a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the "Express Mail" mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

A copy of this notice MUST be returned with the reply.

/tmjohnson-vessels/

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Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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10/540,374	11/30/2007	Gianni Mochi	0341-009

**CONFIRMATION NO. 2576**

86661  
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P.O. Box 270  
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## ABANDONMENT/TERMINATION LETTER



OC000000026706434

Date Mailed: 04/08/2009

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

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Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

A copy of this notice MUST be returned with the reply.

/tmjohnson vessels/

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Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click PDF.

## Bibliographic Data

Mail Room Date	Document Code	Document Description	Document Category	Page Count
04-29-2009	ABN	Abandonment	PROSECUTION	2
04-08-2009	ABN	Abandonment	PROSECUTION	2
04-08-2009	ABN	Abandonment	PROSECUTION	2
04-08-2009	ABN	Abandonment	PROSECUTION	2
03-30-2009	N570	Communication - Re: Power of Attorney (PTOL-308)	PROSECUTION	1
03-30-2009	N570	Communication - Re: Power of Attorney (PTOL-308)	PROSECUTION	1
03-20-2009	PA..	Power of Attorney	PROSECUTION	2
03-20-2009	R3.73B	Assignee showing of ownership per 37 CFR 3.73(b).	PROSECUTION	2
03-20-2009	C.AD	Change of Address	PROSECUTION	1
03-20-2009	N417	EFS Acknowledgment Receipt	PROSECUTION	2
02-05-2009	NTC.PUB	Notice of Publication	PROSECUTION	1
10-30-2008	IMIS	Miscellaneous Internal Document	PROSECUTION	1
10-29-2008	M903	Notice of DO/EO Acceptance Mailed	PROSECUTION	1
10-29-2008	APP.FILE.REC	Filing Receipt	PROSECUTION	3
06-05-2008	PET.DEC.OIPE	Petition decision routed to the OIPE to act on the decision or continue prosecution.	PROSECUTION	2
02-21-2008	PET.OP	Petition for review by the Office of Petitions.	PROSECUTION	76
12-18-2007	PETDEC	Petition Decision	PROSECUTION	4
11-30-2007	LET.	Miscellaneous Incoming Letter	PROSECUTION	2
11-30-2007	OATH	Oath or Declaration filed	PROSECUTION	3
10-19-2007	PET.PCT	Petition for review and processing by the PCT legal office.	PROSECUTION	78
12-27-2005	M905	Notice of DO/EO Missing Requirements Mailed	PROSECUTION	2
06-22-2005	TRNA	Transmittal of New Application	PROSECUTION	2
06-22-2005	136A	Authorization for Extension of Time all replies	PROSECUTION	2
06-22-2005	SPEC	Specification	PROSECUTION	8
06-22-2005	CLM	Claims	PROSECUTION	3
06-22-2005	ABST	Abstract	PROSECUTION	1
06-22-2005	DRW	Drawings-only black and white line drawings	PROSECUTION	3
06-22-2005	IMIS	Miscellaneous Internal Document	PROSECUTION	2
06-22-2005	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1
06-22-2005	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1
06-22-2005	WCLM	Claims Worksheet (PTO-2022)	PROSECUTION	1
06-22-2005	A.PE	Preliminary Amendment	PROSECUTION	1
06-22-2005	SPEC	Specification	PROSECUTION	1
06-22-2005	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
06-22-2005	FRPR	Certified Copy of Foreign Priority Application	PROSECUTION	19
06-22-2005	371P	Documents submitted with 371 Applications	PROSECUTION	2
06-22-2005	WFEE	Fee Worksheet (PTO-875)	PROSECUTION	1

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0341-009